

EXHIBIT D

From: Ben Hulse
To: Ben Gordon; Daniel Nigh; Jan M. Conlin; Genevieve Zimmerman; david@pritzkerlaw.com; Annesley Degaris; Noah Lauricella
Cc: Ashley Woodard; Jerry Blackwell; Mary Young
Subject: RE: Plaintiff's Expert Reports
Date: Tuesday, January 29, 2019 10:01:00 AM
Attachments: 2018.11.06 -1580 Order denying Pltfs Objs to Magistrate Order Striking Pltfs Expert Reports.pdf
image001.jpg
image002.jpg
image003.jpg
image004.jpg

Counsel,

In the attached order, the Court affirmed Judge Schultz's order striking the Bushnell report and David supplemental report. This was an MDL-wide order that was not limited to the Axline case (the order is captioned: "This Document Relates to All Cases"). You have now re-served identical reports in Trombley. Will you help us understand your rationale for doing so? Is it a concern about preserving the issue for appeal in Trombley, despite the order's applicability to Trombley?

Assuming you will not withdraw these reports, we plan to file a motion by the end of the week. But as part of the meet and confer would like to know plaintiffs' basis – that may help streamline the briefing on both sides. Thank you.

Regards,
Ben

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From: Ashley Woodard <awoodard@levinlaw.com>
Sent: Friday, January 25, 2019 3:36 PM
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Cc: Ben Gordon <bgordon@levinlaw.com>; Daniel Nigh <dnigh@levinlaw.com>; Jan M. Conlin <JMC@ciresiconlin.com>; Genevieve Zimmerman <gzimmerman@meshbesh.com>; david@pritzkerlaw.com; Annesley Degaris <adegaris@degarislaw.com>; Noah Lauricella <nlauricella@goldenberglaw.com>
Subject: Plaintiff's Expert Reports

Sent on behalf of Co-Lead Counsel, Mike Ciresi, Genevieve Zimmerman, and Ben Gordon

Dear All:

The following expert reports are being served herewith in the matter styled Ada Trombley v. 3M Company, 0:16-cv-04159 (JNE/DTS)

Case-Specific Expert Report of William Jarvis, M.D.

Case-Specific Expert Report of Eric Brown, M.D.

Supplemental Expert Reports of Yadin David, Ed.E., P.E., C.C.E. and Nathan Bushnell, Ph.D. along with exhibits

Ben, Mary, and Jerry:

Please confirm receipt of these electronic copies, and let me know if you wish to receive hard copies as well. Based on earlier discussions, I believe that Mr. Hulse has indicated electronic copies will suffice, but if you need hard copies we are happy to provide those too. Thanks much.

I will be in touch very soon with some deposition dates for you to consider.

Kind regards,

Plaintiffs' Co-Lead Counsel

Ben W. Gordon, Jr.

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